

A regular meeting of the Michigan State Employees' Retirement System Board was held at the State Secondary Complex, General Office Building, First Floor, Conference Room A, Lansing, Michigan, on December 1, 2011. The following members, staff and observers participated:

Members Present: Robert Brackenbury, representing State Treasurer
 Douglas Drake, Retiree Member
 George Elworth, representing the Attorney General
 Matthew Fedorchuk, Employee Member
 John Gnodtke, representing State Personnel Director
 Randall Gregg, representing Commissioner of the Office of Financial and Insurance Regulation
 Douglas Johnson, Retiree Member
 Craig Murray, representing the Deputy Auditor General

Staff Present: Laurie Hill, Acting Executive Secretary
 Chanda Donnan, Recording Secretary

Others Present: Patrick Fitzgerald of the Office of Attorney General; and Anton Vozheiko of Capitol Services, Inc.

Call to Order

Chair Douglas Drake called the meeting to order at 1:34 p.m.

Approval of Agenda

Douglas Johnson moved, George Elworth supported, to approve the revised agenda as presented. The motion carried unanimously.

Approval of Minutes

Douglas Johnson moved, John Gnodtke supported, to approve the regular session meeting minutes of October 13, 2011, as presented. The motion carried unanimously.

Disability Retirement Applications

Non-Duty Disability Retirement Applications

George Elworth moved, Robert Brackenbury supported, to approve non-duty disability applications 1-6 as presented in the Supplemental Information to the Agenda, 7A. The motion carried unanimously.

Duty Disability Retirement Applications

Randall Gregg moved, George Elworth supported, to approve duty disability applications 2 and 4 as presented in the Supplemental Information to the Agenda, 7B. The motion carried unanimously.

Randall Gregg moved, Douglas Johnson supported, to approve duty disability application 1 as presented in the Supplemental Information to the Agenda, 7B, with the provision of a two-year re-exam. The motion carried unanimously.

Randall Gregg moved, Matthew Fedorchuk supported, to approve duty disability application 3 as presented in the Supplemental Information to the Agenda, 7B, with the provision of a two-year re-exam. The motion carried unanimously.

Application for Good Cause

Kat-21056388

George Elworth moved, Douglas Johnson supported, to grant the applicant's request to extend the time limit for filing a disability retirement application, since the applicant presented sufficient evidence of extenuating circumstances, and to have the State Employees' Retirement System consider the application on the merits. The motion carried unanimously.

Administrative Hearings

Proposal for Decision – Docket 2011-21813 SERS

The Board considered the case materials. Craig Murray moved, Douglas Johnson supported, that the Board adopt as its own the recommendations of the Presiding Officer in the August 4, 2011 Proposal for Decision, including the proposed Findings of Fact and Conclusions of Law, and grant Petitioner's application for duty disability retirement benefits under MCL 38.21. The motion carried unanimously.

Proposal for Decision – Docket 2011-28433 SERS

The Board considered the case materials. Craig Murray moved, Randall Gregg supported, that the Board adopt as its own the recommendations of the Presiding Officer in the September 22, 2011 Proposal for Decision, including the proposed Findings of Fact and Conclusions of Law, and deny Petitioner's application for a duty or non-duty disability retirement allowance under MCL 38.21 and MCL 38.24, respectively. The motion carried unanimously.

Proposal for Decision – Docket 2011-18628 SERS

The Board considered the case materials. Craig Murray moved, Robert Brackenbury supported, that the Board adopt as its own the recommendations of the Presiding Officer in the August 16, 2011 Proposal for Decision, including the proposed Findings of Fact and Conclusions of Law, and grant Petitioner's application for non-duty disability retirement benefits under MCL 38.24,

but deny Petitioner's application for duty disability under MCL 38.21. The motion carried unanimously.

Proposal for Decision – Docket 2010-17546 SERS

The Board considered the case materials. George Elworth moved, Craig Murray supported, that the Board remand the case back to the Administrative Law Judge for an updated Proposal for Decision to be prepared in light of the disability standard set forth in Nason. The motion carried unanimously.

Appointment of Nominating Committee

George Elworth and Douglas Johnson will serve on the Committee.

Executive Secretary Comments

There has been lots of activity at the Legislature with the 3% refund and retirement reform; ORS has been working hard to be ready by January 3rd for our customers. We are doing our best to educate the members as over 50,000 will be affected.

Board Comments

None were received.

Public Comments


Patrick Fitzgerald noted that oral arguments will be heard by the Supreme Court on December 7th regarding the Nason case and whether to grant leave.

Adjournment

George Elworth moved, Randall Gregg supported, that the meeting be adjourned. The motion carried unanimously. The Chair adjourned the meeting at 2:23 p.m.

OFFICIAL MINUTES


Chair


Executive Secretary

